

**United States Department of the Interior  
Bureau of Land Management**

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**Categorical Exclusion  
DOI-BLM-CO-SO50-2016-0003 CX**

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**October 2015**

**On Your Own Adventures  
Film Permit  
“Fresh Tracks with Randy Newberg”**

***Location:** Delta County, Colorado, Game Management Units 411, 52 and 521,  
Including Adobe Badlands Wilderness Study and Leroux Creek*

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**U.S. Department of the Interior  
Bureau of Land Management  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, CO 81401  
Phone: (970) 240-5300**





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## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-SO50-2016-0003 CX

PROJECT NAME: Film Permit: On Your Own Adventures "Fresh Tracks with Randy Newberg"

PLANNING UNIT: Uncompahgre Field Office

LEGAL DESCRIPTION: 6<sup>th</sup> Principal Meridian,  
Tps. 12 S. thru 14 S., Rs. 92 W. thru 98 W.;  
Ute Principal Meridian,  
T. 4 S., R. 3 E.

APPLICANT: Randall D. Newberg

BACKGROUND: Randall Newberg of On Your Own Adventures, LLC, is proposing to film an episode of hunting on public land for the cable network TV series "Fresh Tracks with Randy Newberg". The host has an elk tag and a deer tag issued by Colorado Parks and Wildlife for Game Management Units (GMUs) 411/52/521. The purpose of the episode is to demonstrate one of a vast number of recreational opportunities that exist on public lands of the west.

DESCRIPTION OF PROPOSED ACTION: The proposed action is to issue a film permit to On Your Own Adventures, LLC. The activities that will be authorized under the film permit include:

1. Use of public lands within GMUs 411/52/521 for the purposes of filming a legal hunt of a deer and an elk.
2. Crew will consist of one talent (hunter) and one camera operator.
3. The hunt will be a "backpack" style hunt. Hunter and camera operator will be traveling to and parking at trailhead each morning and hiking to hunting area.
4. No props or sets or equipment other than hunting gear and camera will be used.

The activities will take place during "third season", November 2 – November 8, 2015.

The company will provide the BLM Uncompahgre Field Office with a filming schedule for locations on public lands as soon as practicable, but no later than 24 hours prior to anticipated filming days.

The permit would be issued under FLPMA. The permit would be subject to advanced rental and the attached stipulations.



construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.”

None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and safety.	<u>      </u>	<u>  X  </u>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	<u>      </u>	<u>  X  </u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	<u>      </u>	<u>  X  </u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<u>      </u>	<u>  X  </u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<u>      </u>	<u>  X  </u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	<u>      </u>	<u>  X  </u>
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.	<u>      </u>	<u>  X  </u>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.	<u>      </u>	<u>  X  </u>
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	<u>      </u>	<u>  X  </u>
10. Have disproportionately high and adverse effect on low income or minority populations.	<u>      </u>	<u>  X  </u>
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites.	<u>      </u>	<u>  X  </u>
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.	<u>      </u>	<u>  X  </u>

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility
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Jana Moe  
Edd Franz  
Melissa Siders

Realty Specialist  
Outdoor Rec Planner  
Wildlife Biologist

Lands and Realty  
Recreation; SRP Administration.  
Fish; Wildlife; Threatened and  
Endangered Species; Migratory  
Birds.  
Cultural Resources; Native  
American Religious Concerns.

Glade Hadden

Archaeologist

REMARKS:

Cultural Resources: The proposed action qualifies as exempt from Cultural Resource Inventory under the provisions of the 2015 Protocol Amendment with the Colorado SHPO. No further work is required.

Native American Religious Concerns: There are none known or anticipated for this project.

Threatened and Endangered Species: Federally listed species and critical habitat are present in the area. Stipulations of the permit will result in "No Effect" to all species and designated critical habitat.

Stipulations recommended by wildlife biologist in order to reach a "No Effect":

- Motor vehicle travel is limited to existing roads and trails. No cross country travel will be allowed, including cross country travel for the purpose of game retrieval.
- No construction of props or alterations of existing landscape will be allowed.
- Activities will take place during "third season", November 2 – November 8, 2015

Recreation/Wilderness: Commercial filming may be permitted under 43 CFR 2920 if it is determined to meet the non-impairment standard or one of the exceptions. Commercial filming permits must stipulate that if the WSA is designated as a wilderness, the permit will be terminated.

NAME OF PREPARER: Jana Moe

NAME OF ENVIRONMENTAL COORDINATOR: Jedd Sondergard

DATE: 10/23/15

**COMPLIANCE WITH NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E.19. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:

 ACTING

Uncompahgre Field Office, Field Manager

DATE SIGNED:

10.23.2015

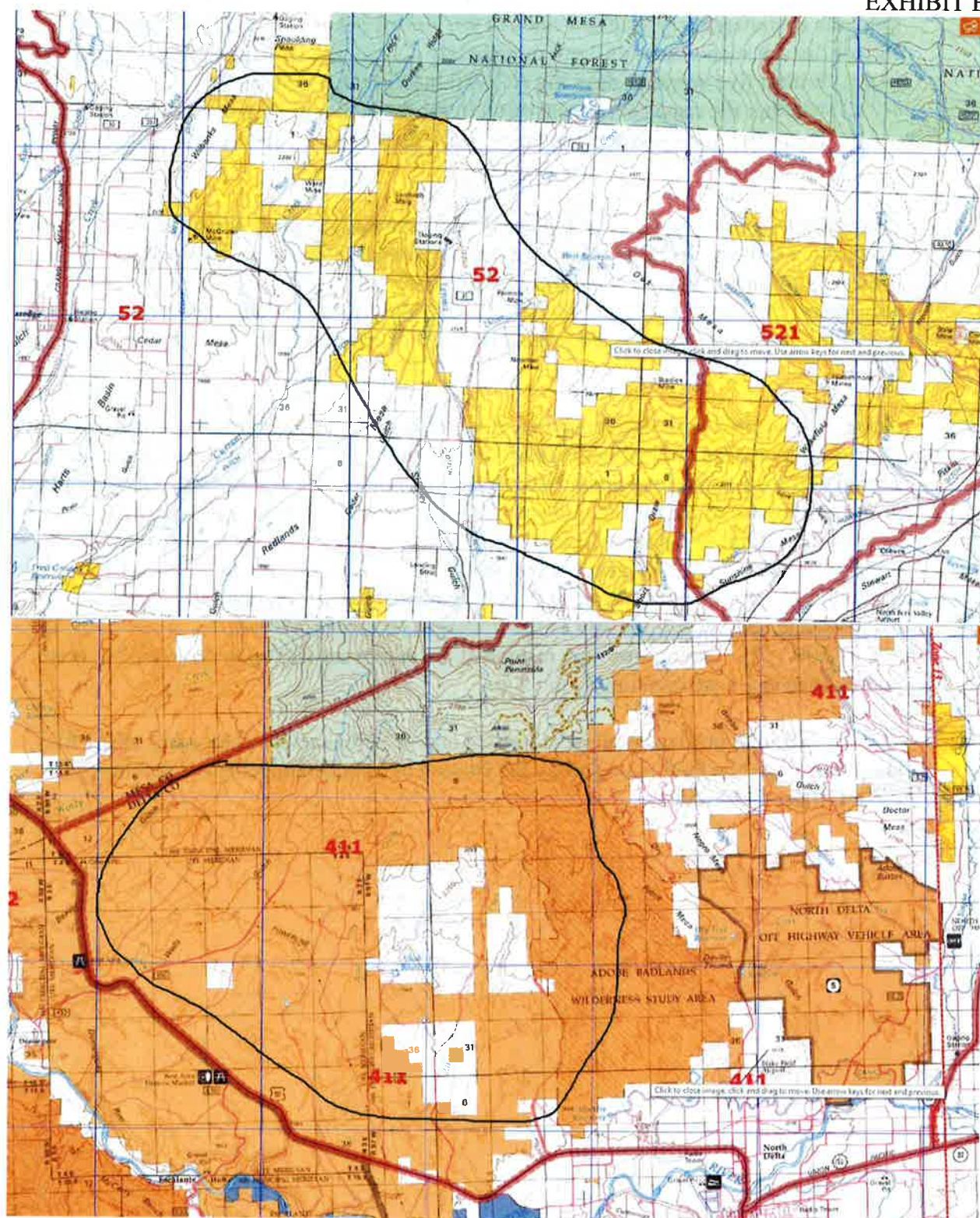
STIPULATIONS FOR FILM PERMIT COC-77419  
On Your Own Adventures, LLC  
"Fresh Tracks with Randy Newberg"

1. The film company, herein referred to as the holder, shall provide the BLM Uncompaghre Field Office with a filming schedule for locations on public land as soon as practicable, but no later than 24 hours prior to anticipated filming days. The BLM contact person is Jana Moe at (970) 240-5324 and the alternate is Nick Szuch at (970) 240-5322.
2. Prior to conducting any filming activities on the public land, the holder shall provide a certificate of liability insurance for not less than \$1,000,000, naming the United States, Bureau of Land Management [BLM], as a co-insured.
3. The holder, and/or its representatives, shall have a copy of the BLM Film Permit (2920-1) and the attached Stipulation in Exhibit A with them at all times while occupying public land.
4. Host must have and carry an elk tag and a deer tag issued by Colorado Parks and Wildlife for Game Management Units (GMUs) 411/52/521 for the "third season."
5. Filming will be allowed within the Wilderness Study Area (WSA) however in the event that the area becomes designated as wilderness before or during filming, the wilderness portion of the permit will be terminated.
6. Access to Public Lands: The BLM does not guarantee legal access to public lands unless legal access for the general public is available. Where legal public access is not available, the permittee is responsible for obtaining permission from the landowner(s) to travel through or use private lands.
7. Motor vehicle travel is limited to existing roads and trails. No cross country travel will be allowed, including cross country travel for the purpose of game retrieval.
8. No motor vehicle use is allowed in the wilderness study area.
9. No construction of props or alterations of existing landscape will be allowed.
10. After each filming session, all equipment shall be removed from the area and the site returned to its prior condition.
11. The holder shall provide for the safety of the public during staging, filming and all activities associated with the project.
12. No archaeological or historic artifacts are to be disturbed or removed from the public land.



13. If historic or archaeological materials are uncovered during permitted activities, the holder is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the BLM authorized officer (AO). Within five working days the AO will inform the holder as to:
  - a. whether the materials appear eligible for the National Register of Historic Places;
  - b. the mitigation measures the holder will likely have to undertake before filming may proceed.
14. Pursuant to 43 CFR 10.4(g), the holder of the authorization must notify the BLM Authorized Officer (AO), by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
15. Anyone associated with this project shall not disturb historic, archaeological, or scientific resources, including collecting artifacts, or they will be subject to prosecution. If in connection with operations under this permit, the holder, it's contractors, subcontractors, or the employees of any of them, discovers, encounters or becomes aware of any objects or sites of cultural or paleontological value or scientific interest such as historic or prehistoric ruins, graves or grave markers, fossils, or artifacts, the holder shall immediately suspend all operations in the vicinity of the cultural or paleontological resource and shall notify the AO of the findings (16 U.S.C. 470h-3, 36CFR800.112). Operations may resume at the discovery site upon receipt of written instructions and authorization by the AO.
16. The final filming product shall have written and/or verbal acknowledgment of the film locations on public land managed by the Bureau of Land Management, Uncompaghe Field Office, Colorado.

EXHIBIT B



**U.S. Department of the Interior  
Bureau of Land Management  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, CO 81401**

**Decision Record**

**(DOI-BLM-CO-S050-2016-0003 CX)**

PROJECT NAME: Film Permit: On Your Own Adventures "Fresh Tracks with Randy Newberg"

DECISION: It is my decision to issue a film permit to the applicant as stated in the Proposed Action of the subject Categorical Exclusion (CX).

The permit will be authorized under the authority of and be subject to the terms and conditions in 43 CFR 2920 and rental payment as determined by the authorized officer. The permit will be subject to the standard stipulations of the land use permit and the stipulations shown in Exhibit A.

MITIGATION MEASURES:

All stipulations shown in Exhibit A of the CX will be followed.

RATIONALE:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E.19. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed use is temporary and will not cause any surface disturbing activities which meets the non-impairment standard for filming in a Wilderness Study Area (WSA) as directed by BLM Manual 6330 – Management of BLM Wilderness Study Areas. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

COMPLIANCE WITH MAJOR LAWS and CONFORMANCE WITH LAND USE PLAN:

The decision is in compliance with applicable laws, regulations and policy, including the Endangered Species Act, Migratory Bird Treaty Act and National Historic Preservation Act.

PUBLIC COMMENT:

The BLM informed the public about this project by listing it on the online NEPA Register and a copy of the completed CX will be posted on the NEPA website found here:  
[https://eplanning.blm.gov/epl-front-office/eplanning/lup/lup\\_register.do](https://eplanning.blm.gov/epl-front-office/eplanning/lup/lup_register.do).

ADMINISTRATIVE REMEDIES:

If you are adversely affected by this decision, within 30 days of receipt of this decision you have the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR §4.400.

NAME OF PREPARER: Jana Moe

NAME OF ENVIRONMENTAL COORDINATOR:  Jedd Sondergard

DATE 10/23/15

SIGNATURE OF AUTHORIZED OFFICIAL

 ACTING

Field Manager  
Uncompahgre Field Office

DATE SIGNED 10.23.2015